

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT

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UNITED STATES OF AMERICA

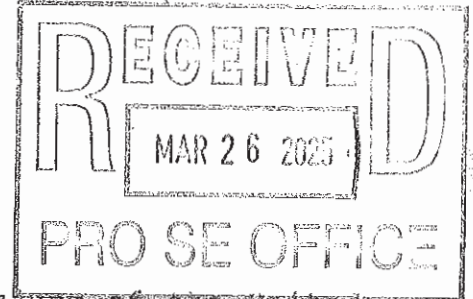
Motion to Ask for an Extension
of Time to File a COA

24-cv-9406 + 16cr 826

-v-

JASON POLANCO,

Defendant.
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I, Jason Polanco, under the penalty of perjury of the United States declare the following:

I am the Defendant proceeding pro-se in the above captioned action, and incarcerated at a State Prison, Sing Sing Correctional Facility, 354 Hunter Street, Ossining, New York 10562.

On February 25, 2025, I received the decision by the Honorable Judge Paul A. Engeltayer, dated February 20, 2025, denying my habeas corpus petition under 28 USC Sec. 2255.

As this Court may verify, this facility is locked down since February 20, 2025, due to an illegal strike carried by the Correctional Officers. The prisoners are confined in their cells, with no access to the facility law library.

I am untrained on the law and depend on the assistance of a law clerk to prepare and file any legal document. Contrary to the Honorable Engeltayer's decision, which I disagree with, and I think was contrary and unreasonable application of federal law, my habeas petition presents meritorious federal constitutional violations.

nevertheless, in order to have an adequate and fair opportunity to appeal these constitutional violations to the U.S. Court of Appeals, a sixty (60) days extension of time is required from the date this Court grant the extension, thus, this facility and the law library may be open and I can get the assistance of a trained clerk to assist me preparing and filing this appeal before this Court.

Therefore, the Defendant herein humbly ask that, in order to promote justice and provide the Defendant a fair opportunity to exercise his right to appeal his conviction and present an adequate appeal, this Honorable Court should grant the Defendant the relief requested herein.

Dated: March 19, 2025.

Respectfully,


Jason Polanco 21-A-1445

The Court **denies this request**, which is moot, in light of Polanco's filing of notice of appeal the same same as this motion. See Dkt. 639. The Clerk of Court is requested to terminate the motion at Dkt. No. 638 in 16-CR-826-05 & Dkt. No. 6 in 24-CV-9406.

3/28/2025

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge